

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELECTRONIC ENVIRONMENTS CORPORATION,)

Plaintiff)

v.)

Civil Action No. 05-11093 NG

JAMES M. EMMING,)

Defendant)

**PLAINTIFF ELECTRONIC ENVIRONMENTS CORPORATION'S
MOTION FOR A PRELIMINARY INJUNCTION**

For the reasons set forth in the Affidavit of Kenneth Rapoport and in the Plaintiff's Memorandum of Law in Support of Its Motion for a Preliminary Injunction, submitted herewith, Plaintiff Electronic Environments Corporation moves that this Court:

1) preliminarily enjoin defendant, James M. Emming, from directly or indirectly being employed by, or acting as an employee, a consultant, partner, officer, or director to J.T. Packard Associates, Inc. of Wisconsin, for one (1) year from March 28, 2005 up until March 28, 2006.

2) preliminarily enjoin defendant, James M. Emming, from directly or indirectly, alone or as a consultant, partner, officer, director, employee or stockholder of any entity from engaging or continuing to engage in any business activity which is in competition with the products or services being developed, manufactured, marketed or sold by Electronic Environments Corporation or soliciting, doing business or attempting to do business with any Customer or prospective customer of Electronic Environments Corporation with whom James M. Emming has solicited or has had contact with while employed by Electronic Environments Corporation, for one (1) year from March 28, 2005 or from employing, or knowingly permitting any entity which is directly or indirectly controlled by James M. Emming to employ, any person who is employed by Electronic Environments Corporation, or is an agent or consultant of Electronic Environments Corporation, at any time during James M. Emming's employment or during the period of one year thereafter, or in any manner from seeking to solicit,

recruit or induce any such person to leave employment of Electronic Environments Corporation, or assisting in the recruitment or hiring of any such person, within the meaning of paragraph 1. of James M. Emming's June 7, 1999 Non-Competition And Confidentiality Agreement with Electronic Environments Corporation or from divulging any confidential information of Electronic Environments Corporation to any other person or entity within the meaning of paragraph 2 (a) of James M. Emming's June 7, 1999 Non-Competition And Confidentiality Agreement with Electronic Environments Corporation.

WHEREFORE, the Plaintiff requests that this Court allow its motion.

ELECTRONIC ENVIRONMENTS
CORPORATION

By its Attorney,

/s/ Leo S. McNamara

Leo S. McNamara, Esq.

BBO # 339380

McNAMARA & FLYNN, P.A.

84 State Street, 9th Floor

Boston, MA 02109

(617) 723-3344

Dated: October 28, 2005

Rule 7.1 Certification

I, Leo S. McNamara, Esq., certify that I have complied with Local Rule 7.1(2) by exchanging citations to cases upon which the respective parties rely on July 29, 2005 and August 4, 2005, thoroughly reviewing the cases cited by counsel for defendant, and informing counsel for defendant in writing on September 2, 2005 that the cases cited by defendant were inapplicable to the facts of this case.

/s/ Leo S. McNamara
Leo S. McNamara, Esq.
BBO # 339380
McNAMARA & FLYNN, P.A.
84 State Street, 9th Floor
Boston, MA 02109
(617) 723-3344

DATED: October 28, 2005